

Notice of Allowability

Application No.

09/735,957

Examiner

Katherine W Mitchell

Applicant(s)

ESPOSITO, JOSEPH R.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/1/04.
2. ☒ The allowed claim(s) is/are 1,5-7,11-16,18 and 19.
3. ☒ The drawings filed on 15 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date with this action.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other See Continuation Sheet.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Salter on 5/24/04.
3. The application has been amended as follows:

IN THE SPECIFICATION:

The abstract, line 1, has been amended to delete "An improved" and replace it with --A--.

The abstract, line 2, "is disclosed" has been deleted.

IN THE CLAIMS:

- Claim 1 line 6 has been amended to delete the word "therei" and replace it with the word --therein--.
- Claim 1 line 20 has been amended to replace "of the enhancer" with --of the coupling device--.
- Claim 1 last line has been amended to delete the word "by" and replace it with the word --from--.
- Claim 7 last line has been amended to delete the word "by" and replace it with the word --from--.

Art Unit: 3677

- Claim 16 next to last line has been amended to delete the word "by" and replace it with the word --from--.
- Claim 1 has been amended to add as an additional paragraph between lines 15 and 16:

--each of said female receptacles including an aperture bounded by a raised wall;--.

- Claim 7 has been amended to add as an additional paragraph between lines 17 and 18:

--each of said female receptacles including an aperture bounded by a raised wall;--.

- Claim 16, line 5, line 12, line 15, and line 16 have been amended to delete "snap-in" and replace it with

--snap-style--.

- Claim 16 has been amended to add as an additional paragraph between lines 9 and 10:

--each of said female receptacles including an aperture bounded by a raised wall;--.

- Claims 3, 9, and 17 have been canceled.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance: Applicant has claimed an ornamental enhancer with an upper edge constructed and arranged to support a coupling device, and thus the coupling device and enhancer are handled as a

Art Unit: 3677

unitary structure. The male/female/male/female snap-style connectors, allowing a hanging ornament to be added to a jewelry item, or allowing the jewelry item to be wearable without the enhancer, is novel over the prior art of record. Examiner notes that children's snap-style beads do not have the female receptacle opening bounded by a raised wall, which serves to give a finished and tailored appearance to the jewelry item and conceal the snap-style projection. US Patent 6401488 was considered, esp. Figs. 8 as the enhancer and Fig 9 showing the enhancer in combination with a jewelry items, but 6401488 clearly emphasizes the connecting necks, while applicant's limitation of raised ring about the female receptacle serves to hide or minimize the neck. US Patent 5782107, while having concealed snap-style engagements, does not anticipate or make obvious interchangeable and optional enhancers, and lacks the structure of the raised ring about the female member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W Mitchell whose telephone number is 703-305-6713. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3677

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kwm
5/24/04


ROBERT J. SANDY
PRIMARY EXAMINER